

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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 LAUREN LEWIS, :
 Plaintiff, :
 :
 -against- :
 :
 MICHAEL J. ASTRUE, :
 Commissioner of Social Security, :
 :
 Defendant. :
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USDC SDNY
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11 Civ. 7538 (JPO)

ORDER

J. PAUL OETKEN, District Judge:

The Court has examined Magistrate Judge Michael H. Dolinger's Report and Recommendation ("Report") in this case reviewing a final decision of the Social Security Administration ("SSA"). Finding Judge Dolinger's Report to be thorough and well reasoned, this Court adopts the recommendation of the Report and hereby remands this case to the SSA for further consideration.

Plaintiff brought this case seeking review of the SSA's final determination that Plaintiff was not eligible for benefits under the Social Security Act, 42 U.S.C. § 301, et seq. Responding to Plaintiff's Motion for Judgment on the Pleadings, Judge Dolinger reviewed the administrative record and found cause for a remand. Specifically, Judge Dolinger noted that "the ALJ failed to sufficiently develop the administrative record, did not adequately consider the record he had before him, fell short in properly explaining the reasoning behind his decisions, and failed to undertake a proper credibility analysis of plaintiff." (Report at 63).

No party filed a timely objection to the Report; therefore, the Court reviews the Report for clear error. *See Fed. R. Civ. P. 72(b)*, Advisory Committee's Notes (1983) ("When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the

record in order to accept the recommendation.”); *see also Borcsok v. Early*, 299 F. App’x 76, 77 (2d Cir. 2008) (approving of the procedure whereby “[t]he District Court . . . reviewed the magistrate judge’s report and recommendation for clear error and, finding none, adopted the report in full.”). Magistrate Judge Dolinger’s presents no such errors and is therefore fully adopted by this Court.

The Clerk of the Court is respectfully directed to terminate this case.

SO ORDERED.

Dated: New York, New York
October 21, 2013



J. PAUL OETKEN
United States District Judge